

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X  
BRACHA CAB CORP. et al, :  
 :  
 PLAINTIFFS, :  
 :  
 Vs. :  
 :  
 RUBEN ELBERG, : No. 1:19-cv-04077-KAM  
 :  
 DEFENDANT. :  
 :  
 ----- X

FILED  
IN CLERK'S OFFICE  
US DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

★ SEP 16 2019 ★

BROOKLYN OFFICE

**NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41 & BANK. R. 8023**

Pursuant to F.R.C.P. 41 and Bank. R. 8023, Defendant<sup>1</sup> Ruben Elberg, by his counsel, hereby give notice that the above captioned appeal is voluntarily dismissed, that all filing fees have been paid by Ruben Elberg, that no counsel have filed notices of appearance in this appeal for any of the Plaintiffs and Ruben Elberg shall bear his own costs in this appeal.

Dated: September 12, 2019

ABRAMS, FENSTERMAN, FENSTERMAN, EISMAN,  
FORMATO, FERRARA, WOLF & CARONE, LLP.

s/ Brian Thomas McCarthy  
Brian Thomas McCarthy, Esq. (BM-4808)  
3 Dakota Drive – Suite 300  
Lake Success, New York 11042  
(516) 328-2300  
bmccarthy@abramslaw.com  
*Counsel for Defendant*

So Ordered: /s/ USDJ KIYO A. MATSUMOTO  
**Kiyo A. Matsumoto**  
**U.S. District Judge** 9/13/19

<sup>1</sup> The caption for this appeal is incorrect as the Appellant is Ruben Elberg and he is not a Defendant in this action. No Cross-Appeals have been filed in this action.

*lu*